

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

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|-------------------------------|---|-------------------|
| BILLIE JOE CHAPMAN, |) | 8:12CV370 |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | MEMORANDUM |
| |) | AND ORDER |
| CHRIS ANDERSON, Detective, et |) | |
| al., |) | |
| |) | |
| Defendants. |) | |

This matter is before the court on several Motions filed by the parties. The court will address each Motion in turn.

On December 9, 2013, Plaintiff filed a document asking this court to “Recognize Supplemental Jurisdiction.” (Filing No. [39](#).) The court liberally construes this document as a Motion to Supplement his Second Amended Complaint. Nebraska Civil Rule 15.1 states that, in pro se cases, the court may consider an amended pleading as supplemental to the original pleading. [NECivR 15.1\(b\)](#). Upon careful consideration, the court will grant the Motion and consider filing number 39 as supplemental to Plaintiff’s Second Amended Complaint.

On the same day that he filed his request to “Recognize Supplemental Jurisdiction,” Plaintiff also filed summons forms. (Filing No. [42](#).) The court liberally construed these forms as a Motion for Summons. (*See* Docket Sheet.) In the forms, Plaintiff appears to be seeking the court’s permission to serve Defendants Christopher Anderson, E. Jones and Eric Rogers. (Filing No. [42](#).) However, the current record before the court shows that summons have been returned executed with regard to each of these Defendants. (*See* Filing Nos. [35](#), [36](#) and [50](#).) Accordingly, Plaintiff’s Motion for Summons is denied as moot.

On January 10, 2014, Plaintiff filed a Motion for the Court to Take Judicial Notice. (Filing No. [48](#).) In the Motion, Plaintiff asks the court to take judicial notice that Defendants are not employees of the United States Marshals Office in Omaha, Nebraska, and have violated federal and state laws. (*Id.*) The court will liberally construe Plaintiff's Motion as another Supplement to his Second Amended Complaint. To the extent Plaintiff asks the court to consider the information contained in the Supplement, his Motion is granted. To the extent Plaintiff seeks some other form of relief, his Motion is denied.

On February 5, 2014, Defendants E. Jones and Travis Jarzynka filed Motions for Extension of Time to File a Responsive Pleading. (Filing Nos. [51](#) and [52](#).) The court will grant these Motions. Defendants E. Jones and Travis Jarzynka's responsive pleadings are due March 17, 2014.

IT IS THEREFORE ORDERED that:

1. Plaintiff's request to "Recognize Supplemental Jurisdiction" (filing no. [39](#)), liberally construed as a Motion to Supplement his Second Amended Complaint, is granted in accordance with this Memorandum and Order.
2. Plaintiff's Motion for Summons (filing no. [42](#)) is denied as moot.
3. Plaintiff's Motion for the Court to Take Judicial Notice (filing no. [48](#)), liberally construed a Motion as a Motion to Supplement his Second Amended Complaint, is granted in accordance with this Memorandum and Order.
4. Defendants E. Jones and Travis Jarzynka's Motions for Extension of Time to File a Responsive Pleading (filing nos. [51](#) and [52](#)) are granted. Defendants E. Jones and Travis Jarzynka's responsive pleadings are due March 17, 2014.

DATED this 10th day of February, 2014.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge

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